US009452874B2

(12) **United States Patent**
Harrelson

(10) **Patent No.: US 9,452,874 B2**
(45) **Date of Patent: *Sep. 27, 2016**

(54) **DISPENSING SYSTEM FOR DOUBLE STACK CARTON**

(71) Applicant: **Graphic Packaging International, Inc.**, Atlanta, GA (US)
(72) Inventor: **Glen R. Harrelson**, Navarre, FL (US)
(73) Assignee: **Graphic Packaging International, Inc.**, Atlanta, GA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 44 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **14/509,177**
(22) Filed: **Oct. 8, 2014**
(65) **Prior Publication Data**

US 2015/0021350 A1 Jan. 22, 2015

Related U.S. Application Data

(63) Continuation of application No. 13/854,209, filed on Apr. 1, 2013, now Pat. No. 8,881,901, which is a continuation of application No. 13/455,259, filed on Apr. 25, 2012, now Pat. No. 8,408,392, which is a

(Continued)

(51) **Int. Cl.**
B65D 71/34 (2006.01)
B65D 5/72 (2006.01)

(Continued)

(52) **U.S. Cl.**
CPC ***B65D 71/34*** (2013.01); ***B65D 5/541*** (2013.01); ***B65D 5/725*** (2013.01); ***B65D 71/36*** (2013.01);

(Continued)

(58) **Field of Classification Search**
CPC B65D 5/541; B65D 5/725; B65D 71/34; B65D 71/36; B65D 2571/00401; B65D 2571/0045; B65D 2571/00574; B65D 2571/0066; B65D 5/5405
USPC 206/427–429; 221/303, 305–309; 229/121, 122, 240, 242
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

902,347 A 10/1908 Tillinghast
1,497,536 A 6/1924 Billstein

(Continued)

FOREIGN PATENT DOCUMENTS

CA 874828 6/1971
CA 2 246 020 2/2000

(Continued)

OTHER PUBLICATIONS

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Motion in Limine and Incorporated Memorandum of Law, Dec. 13, 2011.

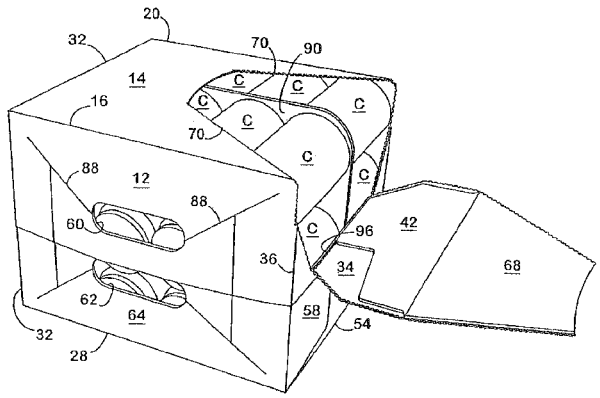
(Continued)

Primary Examiner — Bryon Gehman
(74) *Attorney, Agent, or Firm* — Womble Carlyle Sandridge & Rice, LLP

(57) **ABSTRACT**

The carton of this invention is capable of carrying the plurality of containers stacked upon their ends in two tiers with a unique dispenser that permits the dispensing of containers on their sides. The dispenser is formed in a top side wall and extends into the end wall with most of the end wall being torn open but leaving a portion near the bottom side wall to prevent the bottom layer of containers from rolling out. Angled projections in the dispensing end of the carton near the top panel and bottom panel prevent the top layer of containers from rolling out. A divider may be inserted between the two tiers of containers to facilitate loading the carton and preventing the containers from accidentally rolling out when the dispenser is open.

30 Claims, 4 Drawing Sheets



Related U.S. Application Data

continuation of application No. 13/052,489, filed on Mar. 21, 2011, now Pat. No. 8,181,782, which is a continuation of application No. 12/752,586, filed on Apr. 1, 2010, now Pat. No. 8,127,924, which is a continuation of application No. 12/274,477, filed on Nov. 20, 2008, now Pat. No. 7,780,003, which is a continuation of application No. 11/558,717, filed on Nov. 10, 2006, now Pat. No. 7,467,713, which is a continuation of application No. 11/139,827, filed on May 27, 2005, now Pat. No. 7,134,551, which is a continuation of application No. 10/365,148, filed on Feb. 12, 2003, now Pat. No. 6,918,487.

(51) **Int. Cl.**

B65D 71/36	(2006.01)
B65D 5/54	(2006.01)

(52) **U.S. Cl.**

CPC *B65D 2571/0045* (2013.01); *B65D 2571/0066* (2013.01); *B65D 2571/00141* (2013.01); *B65D 2571/00401* (2013.01); *B65D 2571/00469* (2013.01); *B65D 2571/00549* (2013.01); *B65D 2571/00574* (2013.01); *B65D 2571/00728* (2013.01)

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,541,143	A	6/1925	Hoile
1,609,186	A	11/1926	Peruzzi
1,853,219	A	4/1932	Newton
1,925,102	A	9/1933	Levkoff
2,026,477	A	12/1935	Lescher
2,067,749	A	1/1937	Zimmerman et al.
2,115,673	A	4/1938	Stompe
2,278,793	A	4/1942	Myers
2,294,965	A	9/1942	Davidson
2,316,796	A	4/1943	Lichter
2,448,819	A	9/1948	Mitchell
2,473,635	A	6/1949	Buttery
2,619,226	A	11/1952	Adams
2,718,301	A	9/1955	Palmer
2,723,027	A	11/1955	Guyer
2,754,047	A	7/1956	Schmidt et al.
2,842,304	A	7/1958	Ringler
2,844,298	A	7/1958	Tamarin
2,868,431	A	1/1959	Painter
2,930,516	A	3/1960	Fowle et al.
2,975,891	A	3/1961	Stone
2,990,097	A	6/1961	Thompson
3,002,651	A	10/1961	Gauld
3,018,031	A	1/1962	Ahlbor et al.
3,178,242	A	4/1965	Ellis et al.
3,228,582	A	1/1966	Osberg
3,263,861	A	8/1966	Carr
3,265,283	A	8/1966	Farquhar
RE26,083	E	9/1966	Forrer
3,270,941	A	9/1966	Barnes
3,300,115	A	1/1967	Schauer
3,332,594	A	7/1967	Capua
3,356,279	A	12/1967	Root
3,416,719	A	12/1968	Pilger
3,517,858	A	6/1970	Farquhar
3,540,581	A	11/1970	Koolnis
3,599,858	A	8/1971	Samsing
3,602,392	A	8/1971	Cote
3,669,251	A	6/1972	Phillips, Jr.
3,696,990	A	10/1972	Dewhurst
3,765,327	A	10/1973	Aronson et al.
3,765,527	A	10/1973	Vargo
3,784,022	A	1/1974	Beesley, Jr.
3,894,681	A	7/1975	Arneson et al.
3,913,739	A	10/1975	Hennessey
3,942,631	A	3/1976	Sutherland et al.
3,952,872	A	4/1976	Consiglio, Jr.
3,961,706	A	6/1976	Roccaforte et al.
4,000,811	A	1/1977	Hardison et al.
D243,508	S	3/1977	Killy
4,030,596	A	6/1977	Snyder et al.
D252,259	S	7/1979	Rinehart
4,214,660	A	7/1980	Hunt, Jr.
4,216,861	A	8/1980	Oliff
4,222,485	A	9/1980	Focke
4,252,236	A	2/1981	Roccaforte
D263,204	S	3/1982	Dutcher
4,318,474	A	3/1982	Hasegawa
4,325,482	A	4/1982	Feeser
4,331,289	A	5/1982	Killy
4,334,644	A	6/1982	Hauser
4,340,170	A	7/1982	Montealegre
4,364,509	A	12/1982	Holley, Jr. et al.
4,375,258	A	3/1983	Crayne et al.
4,378,877	A	4/1983	Botterman et al.
D269,068	S	5/1983	Mann, Sr. et al.
D270,041	S	8/1983	Vestal
4,396,143	A	8/1983	Killy
4,405,078	A	9/1983	Dutcher et al.
4,416,410	A	11/1983	Herrmann
4,417,655	A	11/1983	Forbes, Jr.
4,417,661	A	11/1983	Roccaforte
4,466,536	A	8/1984	Zeitel
4,498,581	A	2/1985	Dutcher
4,558,816	A	12/1985	Wood
4,560,062	A	12/1985	Valiulis
4,577,762	A	3/1986	Kuchenbecker
4,577,799	A	3/1986	Oliff
4,582,199	A	4/1986	Schuster
4,588,084	A	5/1986	Holley, Jr.
4,605,128	A	8/1986	Rieke
D286,987	S	12/1986	Golan et al.
4,726,471	A	2/1988	Whately et al.
4,785,991	A	11/1988	Schuster
4,805,800	A	2/1989	Nocek et al.
4,817,866	A	4/1989	Wonnacott
D303,090	S	8/1989	Armor et al.
4,860,944	A	8/1989	Wonnacott
4,871,067	A	10/1989	Valenti
4,890,440	A	1/1990	Romagnoli
4,919,266	A	4/1990	McIntosh, Jr. et al.
4,949,845	A	8/1990	Dixon
4,966,324	A	10/1990	Steel
4,972,991	A	11/1990	Schuster
4,974,731	A	12/1990	Wood
4,974,771	A	12/1990	Lavery
4,981,253	A	1/1991	Quaintance
4,982,845	A	1/1991	Prascak et al.
4,989,778	A	2/1991	Saulas
5,002,186	A	3/1991	Cooper
5,031,825	A	7/1991	Romangnoli
D321,134	S	10/1991	Toinet
5,067,615	A	11/1991	Davitian
5,072,876	A	12/1991	Wilson
5,101,642	A	4/1992	Alexandrov
5,106,014	A	4/1992	Miller
5,123,589	A	6/1992	Cote
5,137,211	A	8/1992	Summer et al.
5,143,252	A	9/1992	Shi
5,170,934	A	12/1992	Lemoine
D332,915	S	2/1993	Hoell et al.
5,219,229	A	6/1993	Sengewald
5,249,681	A	10/1993	Miller
5,265,798	A	11/1993	DeMaio et al.
5,277,360	A	1/1994	DeMott
5,279,440	A	1/1994	Fougeres et al.
5,284,292	A	2/1994	Johnson
5,289,943	A	3/1994	Powell
5,292,059	A	3/1994	Oliff
5,297,725	A	3/1994	Sutherland
5,348,219	A	9/1994	Brintazzoli
5,368,194	A	11/1994	Oliff et al.
5,372,299	A	12/1994	Edgerton, Jr. et al.

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,385,234	A	1/1995	Stout et al.
5,425,474	A	6/1995	Dalea et al.
5,427,242	A	6/1995	Oliff et al.
5,437,407	A	8/1995	Kim
5,439,168	A	8/1995	Kim
5,465,831	A	11/1995	Smith
5,482,185	A	1/1996	McNaughton
5,482,203	A	1/1996	Stout
5,505,372	A	4/1996	Edson et al.
5,518,111	A	5/1996	Stout
5,577,612	A	11/1996	Chesson et al.
5,597,114	A	1/1997	Kramedjian et al.
5,622,309	A	4/1997	Matsuda et al.
D379,759	S	6/1997	Mulry
5,657,872	A	8/1997	Leftwich et al.
5,664,683	A	9/1997	Brody
5,682,984	A	11/1997	Hoell et al.
5,690,213	A	11/1997	Matsumura
5,699,957	A	12/1997	Blin et al.
5,722,584	A	3/1998	Fujiwara
5,772,030	A	6/1998	Baxter
5,775,574	A	7/1998	Whitnell
5,788,117	A	8/1998	Zimmanck
5,826,783	A	10/1998	Stout
5,833,118	A	11/1998	Weiss
5,857,614	A	1/1999	Walsh
5,873,515	A	2/1999	Dunn et al.
5,875,961	A	3/1999	Stone et al.
5,878,947	A	3/1999	Hoy et al.
5,881,884	A	3/1999	Podosek
5,921,398	A	7/1999	Carroll
5,924,559	A	7/1999	Carrel et al.
5,996,797	A	12/1999	Flaig
6,019,276	A	2/2000	Auclair
6,105,854	A	8/2000	Spivey et al.
6,105,856	A	8/2000	Kakiuchi
6,155,480	A	12/2000	Botsford et al.
D436,859	S	1/2001	Botsford et al.
6,170,741	B1	1/2001	Skolik et al.
6,176,419	B1	1/2001	Holley, Jr.
6,209,786	B1	4/2001	Yelton et al.
6,244,436	B1	6/2001	Boriani et al.
6,253,930	B1	7/2001	Freidus et al.
6,273,330	B1	8/2001	Oliff et al.
6,283,293	B1	9/2001	Lingamfelter
D454,784	S	3/2002	Oram
6,386,369	B2	5/2002	Yuhas et al.
6,386,438	B1	5/2002	Walsh et al.
6,390,290	B1	5/2002	Focke et al.
6,409,077	B1	6/2002	Telesca et al.
D459,927	S	7/2002	Flowers et al.
6,435,351	B1	8/2002	Gibb
6,457,580	B1	10/2002	Focke et al.
6,474,469	B1	11/2002	Luton et al.
6,478,219	B1	11/2002	Holley, Jr.
6,484,903	B2	11/2002	Spivey et al.
6,550,615	B2	4/2003	Lingamfelter
6,557,699	B1	5/2003	Focke et al.
6,578,736	B2	6/2003	Spivey
6,631,803	B2	10/2003	Rhodes et al.
6,669,083	B2	12/2003	Bates
6,715,639	B2	4/2004	Spivey
6,752,262	B1	6/2004	Boriani et al.
6,789,673	B2	9/2004	Lingamfelter
6,866,185	B2	3/2005	Harrelson
6,902,104	B2	6/2005	Holley, Jr. et al.
6,918,487	B2	7/2005	Harrelson
6,929,172	B2	8/2005	Bates et al.
6,991,107	B2	1/2006	Harrelson
6,997,316	B2	2/2006	Sutherland
7,000,824	B2	2/2006	Saulas
7,004,897	B2	2/2006	Spivey, Sr.
7,048,817	B1	5/2006	Hammond
7,100,798	B2	9/2006	Spivey
7,104,435	B2	9/2006	Holley, Jr.
7,134,551	B2	11/2006	Harrelson
7,237,674	B2	7/2007	Auclair
7,467,713	B2	12/2008	Harrelson
7,614,497	B2	11/2009	Spivey, Sr.
7,648,060	B2	1/2010	DeBusk
7,780,003	B2	8/2010	Harrelson
2002/0029991	A1	3/2002	Lingamfelter
2002/0070139	A1	6/2002	Bates
2002/0088820	A1	7/2002	Spivey
2002/0088821	A1	7/2002	Spivey et al.
2002/0185499	A1	12/2002	Harrelson et al.
2002/0185527	A1	12/2002	Bates
2003/0141313	A1	7/2003	Bates
2003/0141353	A1	7/2003	Wilson
2003/0150759	A1	8/2003	White
2003/0192907	A1	10/2003	Bates
2004/0060972	A1	4/2004	Harrelson
2004/0089575	A1	5/2004	Lingamfelter
2004/0089671	A1	5/2004	Miller
2004/0099558	A1	5/2004	Oliff et al.
2004/0155098	A1	8/2004	Harrelson
2004/0188277	A1	9/2004	Auclair
2004/0188300	A1	9/2004	Sutherland
2004/0188508	A1	9/2004	Holley
2005/0023170	A1	2/2005	Lingamfelter
2005/0085364	A1	4/2005	Spivey
2005/0092820	A1	5/2005	Chekroune
2005/0126947	A1	6/2005	Holley
2005/0178687	A1	8/2005	Spivey, Sr.
2006/0175386	A1	8/2006	Holley
2007/0017966	A1	1/2007	DeBusk et al.
2007/0062834	A1	3/2007	Harrelson

FOREIGN PATENT DOCUMENTS

CA	2502327 A1 *	5/2004	..... B65D 5/5405
DE	2 323 589	11/1974	
DE	75 10 538	8/1975	
DE	76 06 493 U1	6/1976	
DE	29 33 022	9/1980	
DE	30 07 769	9/1981	
DE	81 35 176	5/1982	
DE	8514718.4 U1	6/1985	
DE	86 29 664	5/1987	
DE	36 12 594	10/1987	
DE	40 23 043	12/1991	
DE	94 12 885	10/1994	
DE	94 13 813	10/1994	
DE	295 19 931	2/1996	
DE	296 02 010	3/1996	
DE	198 02 800	7/1999	
DE	29 909 008	9/1999	
DE	299 13 585	10/1999	
DE	694 21 620	4/2000	
EP	0 235 852	9/1987	
EP	0 323 596 A1	7/1989	
EP	0 342 088 A1	11/1989	
EP	0 475 147	3/1992	
EP	0 659 143	6/1995	
EP	0 752 370 A2	1/1997	
EP	0 849 189	6/1998	
EP	0 936 995	8/1999	
EP	1 038 783	9/2000	
EP	1 060 998	12/2000	
EP	1 615 839 A2	1/2006	
FR	2 549 010	1/1985	
FR	2683027 A1	5/1993	
FR	2 761 342 A1	10/1998	
GB	2 184 999 A	7/1987	
GB	2 186 550 A	8/1987	
GB	2 189 223 A	10/1987	
GB	2 264 101	8/1993	
JP	49-18843-01	2/1974	
JP	55-61519	5/1980	
JP	59-147018 A	8/1984	
JP	60-190680 A	9/1985	
JP	63-111422 A	5/1988	
JP	63-111422	7/1988	
JP	7-9721	2/1995	

(56) **References Cited**

FOREIGN PATENT DOCUMENTS

JP	10-211924	8/1998
JP	2000-50947 A	9/2001
WO	WO 88/09750	12/1988
WO	WO 95/01284	1/1995
WO	WO 95/25668	9/1995
WO	WO-96/29260 A1	9/1996
WO	WO 96/36538	11/1996
WO	WO 97/21607	6/1997
WO	WO 98/31593	7/1998
WO	WO 98/38099	9/1998
WO	WO-99/64301 A1	12/1999
WO	WO-00/03937 A1	1/2000
WO	WO 00/23334	4/2000
WO	WO-00/71428 A1	11/2000
WO	WO-01/28871 A1	4/2001
WO	WO 02/04302	1/2002
WO	WO-02/30785 A1	4/2002
WO	WO 02/085739	10/2002
WO	WO-2004/043790 A2	5/2004
WO	WO-2005/037663 A1	4/2005
WO	WO 2005/051777	6/2005
WO	WO 2005/051782	6/2005

OTHER PUBLICATIONS

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Joint Final Pretrial Statement, Dec. 13, 2011.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion in Limine and Incorporated Memorandum of Law, Dec. 13, 2011.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Opposition to Defendant C.W. Zumbiel Co.'s Motion in Limine, Dec. 19, 2011.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Transcript of Motion Hearing Before the Honorable Roy B. Dalton, Jr., U.S. District Judge, Dec. 18, 2011.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s Motion in Limine, Dec. 28, 2011.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Dec. 29, 2011.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Parties' Replacement Sets of Joint and Disputed Proposed Jury Instructions, Jan. 2, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff's Revised Proposed Verdict Form, Jan. 2, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant's Revised Proposed Verdict Form, Jan. 3, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Jan. 8, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff's Proposed Jury Instruction No. 16.5, Jan. 9, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Parties' Revised and Augmented Joint and Disputed Proposed Jury Instructions, Jan. 12, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Agreed Curative Instructions Nos. 1 and 2, Jan. 12, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff's Corrected Proposed Verdict Form, Jan. 13, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Judgment as a Matter of Law and Incorporated Memorandum of Law, Jan. 19, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Stipulated Facts, Jan. 19, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Court's Instructions to the Jury, Jan. 19, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Verdict Form, Jan. 19, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Unopposed Motion for Entry of Judgment on Jury Verdict and Incorporated Memorandum of Law, Jan. 23, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Leave to File Substitute Proposed Order, Jan. 24, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Transcript of Jury Trial (vol. II) before The Honorable Judge Roy B. Dalton, Jr., United States District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Transcript of Jury Trial (vol. IV) before The Honorable Judge Roy B. Dalton, Jr., United States District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Transcript of Jury Trial (vol. VI) before The Honorable Judge Roy B. Dalton, Jr., United States District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. I, Afternoon Session, Excerpt Transcript of Jury Trial before The Honorable Judge Roy B. Dalton, Jr., United States District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. III, Afternoon Session, Transcript of Jury Trial before The Honorable Roy B. Dalton, Jr., U.S. District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. V, Afternoon Session, Transcript of Jury Trial before The Honorable Roy B. Dalton, Jr., U.S. District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. VII, Afternoon Session, Transcript of Jury Trial before The Honorable Roy B. Dalton, Jr., U.S. District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. VIII, Transcript of Jury Trial before The Honorable Roy B. Dalton, Jr., U.S. District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. IX, Transcript of Jury Trial before The Honorable Roy B. Dalton, Jr., U.S. District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, vol. X, Transcript of Jury Trial before The Honorable Roy B. Dalton, Jr., U.S. District Judge, Jan. 26, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Preliminary Injunction and Incorporated Memorandum of Law, Jan. 27, 2012.

(56) **References Cited**

OTHER PUBLICATIONS

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Renewed Motion for Judgment as a Matter of Law and Incorporated Memorandum of Law, Jan. 27, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Feb. 1, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Amended Judgment in a Civil Case, Feb. 9, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s Renewed Motion for Judgment as a Matter of Law, Feb. 13, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s Motion for Permanent Injunction, Feb. 13, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Leave to File a Short Reply in Support of its Motion for Preliminary Injunction, Feb. 14, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Feb. 15, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Reply in Support of its Motion for Permanent Injunction, Feb. 17, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Renewed Motion for Judgment as a Matter of Law and Incorporated Memorandum of Law, Apr. 6, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Permanent Injunction and Incorporated Memorandum of Law, Apr. 6, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Reply in Support of Its Motion for Permanent Injunction, Apr. 6, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Corrected Brief—Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s Renewed Motion for Judgment as a Matter of Law, Apr. 12, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s Motion for Permanent Injunction, Apr. 12, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order [Granting Motion to Review Adopting Report and Recommendation], Jul. 16, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order [Denying Motion to Declare Case Exceptional], Jul. 16, 2012.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order [Granting Motion for Judgment as a Matter of Law], Jul. 16, 2012.

International Bottler & Packer, "Hot Hit With Consumers" published Nov. 2001.

Wall Street Journal; "Coke Bottler Tests a Slimmer Soda Package" published Aug. 10, 2001.

Beverage World; "Passing the Torch" published Oct. 2002.

Coca Cola Fridge Mate; "Revise Woolworth's Advertisement", WCA 4000/N1A.

Google translation of patent No. FR 2 761 342 to Sylvie.

Memorandum in Support of Conditional Motion to Stay Proceeding Pending Inter Partes Reexamination of U.S. Pat. No. 6,789,673; filed Jan. 25, 2005 on behalf of Graphic Packaging International, Inc.; Civil Action No. 1-04-CV-0842 (JEC) (USDC N.D.GA); pp. 1 and 3.

Civil Docket for Case #: 3:10-cv-00891-UATC-JBT, *Graphic Packaging International, Inc.* v. *C.W. Zumbiel Co.*

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Complaint for Patent Infringement, Demand for Jury Trial and Injunctive Relief Sought, Sep. 29, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff's Motion for Preliminary Injunction and Request for Oral Argument, Oct. 25, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Supporting Documents for Plaintiff's Motion for Preliminary Injunction and Request for Oral Argument.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Answer, Affirmative Defenses, and Counterclaim, Nov. 15, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff's Motion for Preliminary Injunction, Nov. 15, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Dismissal of Defendant C.W. Zumbiel Co.'s Counterclaim Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Incorporated Memorandum of Law, Nov. 22, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion, and Incorporated Memorandum of Law, to Strike Defendant C.W. Zumbiel Co.'s Second, Third, Sixth, and Seventh Affirmative Defenses, Nov. 22, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Verified Reply to Defendant C.W. Zumbiel Co.'s Counterclaim for Declaratory Judgment, Nov. 23, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Emergency Motion for Leave to Supplement Preliminary Injunction Motion Record with Newly-Generated Evidentiary Items, Nov. 29, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff's Emergency Motion for Leave to Supplement Preliminary Injunction Motion, Nov. 30, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff's Motion for Dismissal of Zumbiel's Counterclaim Pursuant to Federal Rule of Civil Procedure 12(b)(6), Dec. 9, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff's Motion to Strike Zumbiel's Second, Third, Sixth, and Seventh Affirmative Defenses, Dec. 9, 2010.

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Unopposed Motion for Leave to File an Amended Answer, Affirmative Defenses, and Counterclaim under Fed.R.Civ. P. 15(a)(2) and Incorporated Memorandum of Law, Dec. 9, 2010.

(56) **References Cited**

OTHER PUBLICATIONS

Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, GPI's Supplemental Preliminary Injunction Brief, Dec. 15, 2010.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Sur-Reply to Plaintiffs Supplemental Preliminary Injunction Brief, Jan. 6, 2010.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Dec. 1, 2010 Motion Hearing Before the Honorable Timothy J. Corrigan, United States District Judge, Jan. 31, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Feb. 4, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.' Opening Claim Construction Brief, Feb. 7, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Opening Claim Construction Brief, Feb. 7, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Responsive Claim Construction Brief, Feb. 21, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Responsive Claim Construction Brief, Feb. 21, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel's Identification of Prior Art, Mar. 11, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Markman Hearing and Preliminary Pretrial Conference Before the Honorable Timothy J. Corrigan United States District Judge, Mar. 23, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Mar. 28, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Amended Answer, Affirmative Defenses, and Counterclaim, Dec. 9, 2010.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion to Dismiss Defendant C.W. Zumbiel Co.'s Amended Counterclaim and Incorporated Memorandum of Law, Apr. 13, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion to Strike Defendant C.W. Zumbiel Co.'s Second, Third, Sixth, and Seventh Affirmative Defenses and Portions of the Amended Counterclaim and Incorporated Memorandum of Law, Apr. 13, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Apr. 18, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff's Motion to Dismiss Defendant C.W. Zumbiel Co.'s Amended Counterclaim and Incorporated Memorandum of Law, Apr. 27, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International Inc.'s Motion to Strike Zumbiel's Second, Third, Six, and Seventh Affirmative Defenses, Apr. 27, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Sep. 12, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff's Motion to Strike Portions of the Supplemental Expert report of Dr. Robert M. Kimmel Relying on Prior Art not Identified by Defendant, Sep. 12, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Reply to Defendant C.W. Zumbiel Co.'s Amended Counterclaim, Sep. 26, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Zumbiel's Opposition to Plaintiff Graphic Packaging International Inc.'s Motion to Strike Portions of the Supplemental Expert Report of Dr. Robert M. Kimmel, Sep. 26, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Motion for Summary Judgment and Accompanying Memorandum in Support, Oct. 3, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s *Daubert* Motion, Oct. 3, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s *Daubert* Motion to Exclude Certain Expert Testimony of Dr. Robert M. Kimmel and Incorporated Memorandum of Law, Oct. 3, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Opposition to Defendant C.W. Zumbiel Co.'s *Daubert* Motion, Oct. 20, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s *Daubert* Motion to Exclude Certain Expert Testimony of Dr. Robert M. Kimmel, Oct. 20, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion to Exclude Miller Publication and Toe Saver Carton and Incorporated Memorandum of Law, Nov. 1, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Opposition to Defendant C.W. Zumbiel Co.'s Motion for Summary Judgment, Nov. 2, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Opposition to Plaintiff Graphic Packaging International, Inc.'s Motion for Partial Summary Judgment, Nov. 2, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Order, Nov. 3, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Zumbiel's Opposition to Plaintiff Graphic Packaging International Inc.'s Motion to Exclude Miller Publication and Toe Saver Carton and Incorporated Memorandum of Law, Nov. 16, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Reply Memorandum of Plaintiff Graphic Packaging International, Inc. in Support of its Motion for Partial Summary Judgment, Nov. 16, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Defendant C.W. Zumbiel Co.'s Reply in Support of its Motion for Summary Judgment, Nov. 16, 2011.
Graphic Packaging International, Inc. v. *C.W. Zumbiel Co.* (*M.D. FL*), Civil Action No. 3:10-cv-00891-UATC-JBT, Plaintiff Graphic Packaging International, Inc.'s Motion for Partial Summary Judgment and Incorporated Memorandum of Law, Oct. 3, 2011.
Reexamination Control No. 95/001,796, Request for Inter Partes Reexamination—Replacement Document, dated Dec. 6, 2011.
Reexamination Control No. 95/001,796, Order Granting/Denying Request for Inter Partes Reexamination, dated Jan. 17, 2012.

(56) **References Cited**

OTHER PUBLICATIONS

Reexamination Control No. 95/001,796, Office Action in Inter Partes Reexamination, dated Jan. 17, 2012.
Reexamination Control No. 95/001,796, Petition to Withdraw Office Action, dated Jan. 31, 2012.
Reexamination Control No. 95/001,796, Decision on Patent Owner's Petition under 37 CFR 1.181, dated Feb. 10, 2012.
Reexamination Control No. 95/001,796, Order Granting/Denying Request for Inter Partes Reexamination, dated Feb. 10, 2012.
Reexamination Control No. 95/001,796, Office Action in Inter Partes Reexamination, dated Feb. 10, 2012.
Reexamination Control No. 95/001,796, Petition to Suspend Reexamination Proceeding, dated Feb. 17, 2012.
Reexamination Control No. 95/001,796, Third Party Requester's Opposition to Patent Owner's Petition to Suspend Reexamination Proceeding, dated Feb. 23, 2012.
Reexamination Control No. 95/001,796, Reply to Requester's Opposition to Patent Owner's Petition to Suspend Reexamination Proceeding, dated Feb. 29, 2012.
Reexamination Control No. 95/001,796, Patent Owner's Request for Extension of Time to File Response to Office Action, dated Mar. 30, 2012.
Reexamination Control No. 95/001,796, Decision on Petition for Extension of Time in Reexamination, dated Apr. 4, 2012.
Reexamination Control No. 95/001,796, Patent Owner's Second Request for Extension of Time to File Response to Office Action, dated May 1, 2012.
Reexamination Control No. 95/001,796, Decision on Petition for Extension of Time in Reexamination, dated May 3, 2012.
Reexamination Control No. 95/001,796, Patent Owner's Third Request for Extension of Time to File Response to Office Action, dated Jun. 7, 2012.
Reexamination Control No. 95/001,796, Decision on Petition for Extension of Time in Reexamination, dated Jun. 7, 2012.
Reexamination Control No. 95/001,796, Response to Office Action, dated Jun. 25, 2012.

* cited by examiner

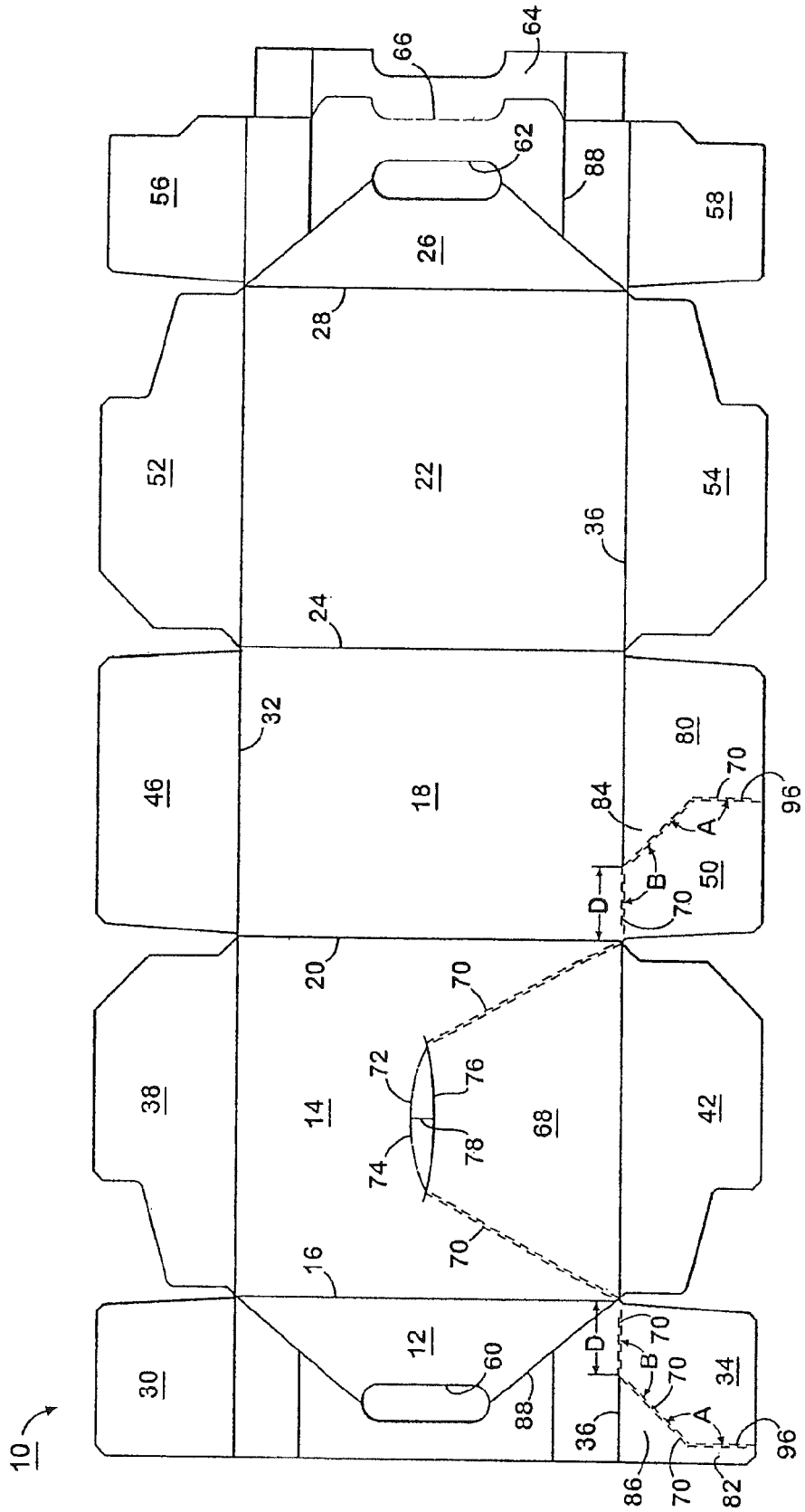

10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
42
46
50
52
54
56
58
60
62
64
66
68
70
72
74
76
78
80
82
84
86
88
96
A
B
D

FIG 1

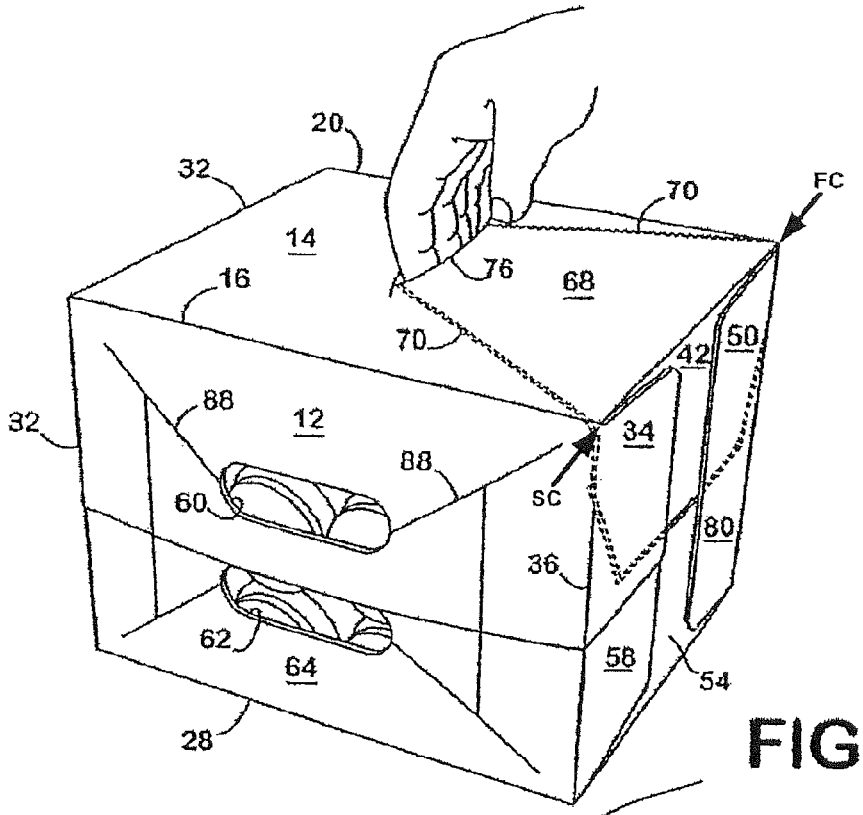

20
32
14
16
70
FC
76
68
70
42
50
32
88
12
34
88
SC
60
80
36
62
64
58
54
28

FIG 2

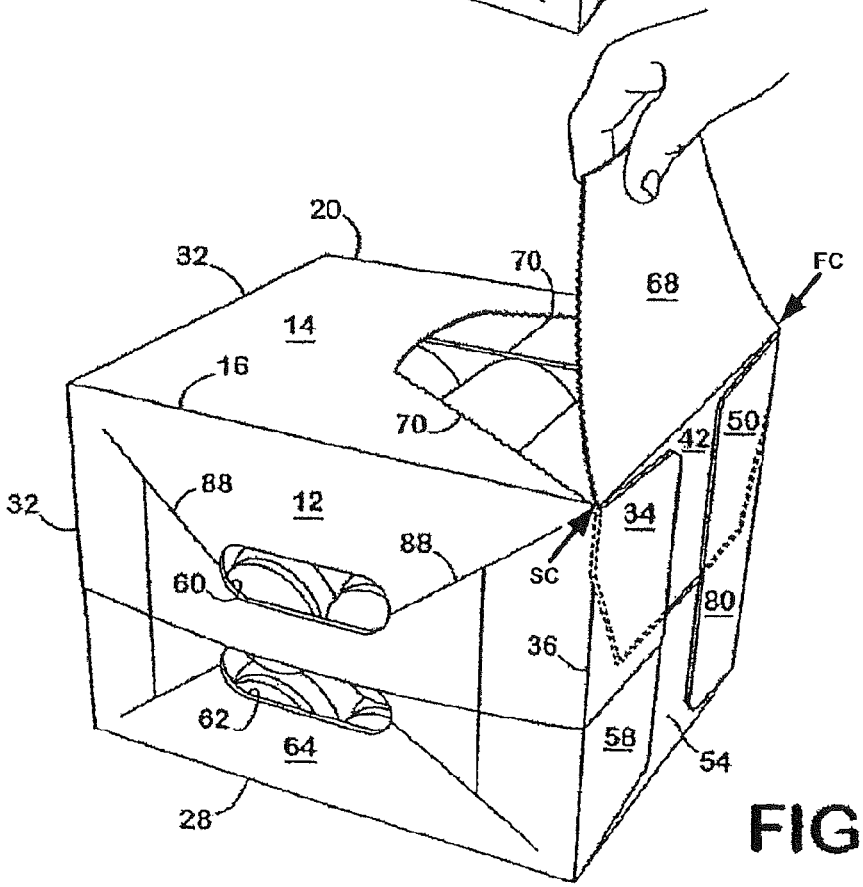

20
32
70
68
FC
14
16
70
42
50
32
88
12
34
88
SC
60
80
36
62
64
58
54
28

FIG 3

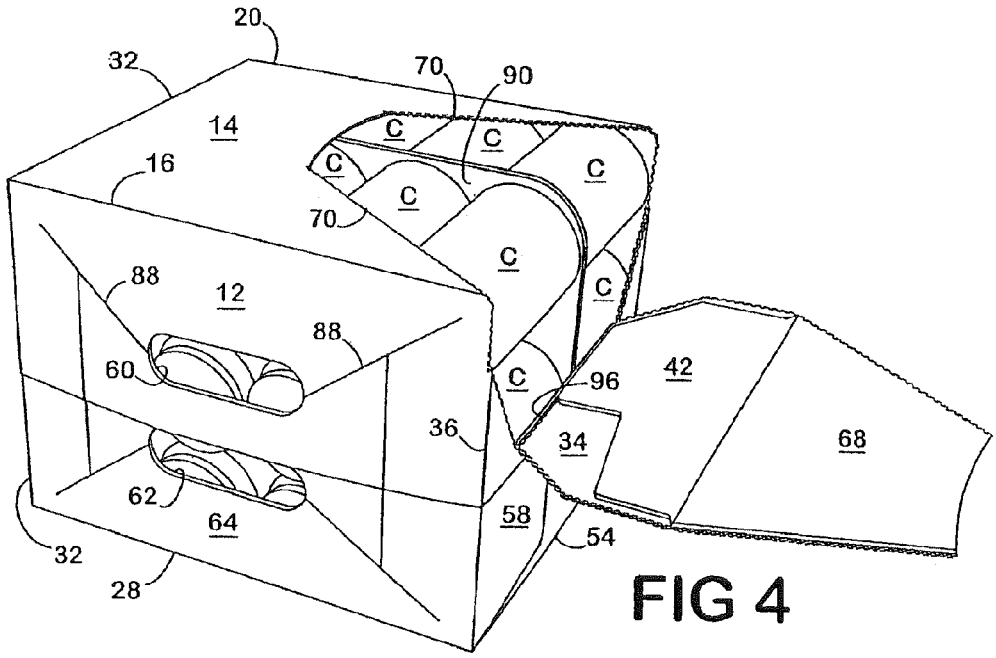

20
32
70
90
14
C
16
70
88
12
88
60
C
96
42
36
34
68
62
64
58
54
32
28

FIG 4

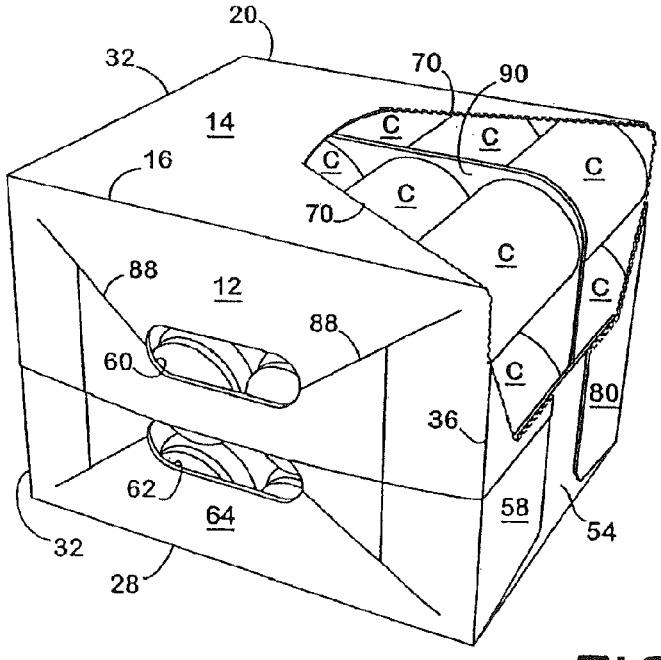

20
32
70
90
14
C
16
70
88
12
88
60
C
80
36
62
64
58
54
32
28

FIG 5

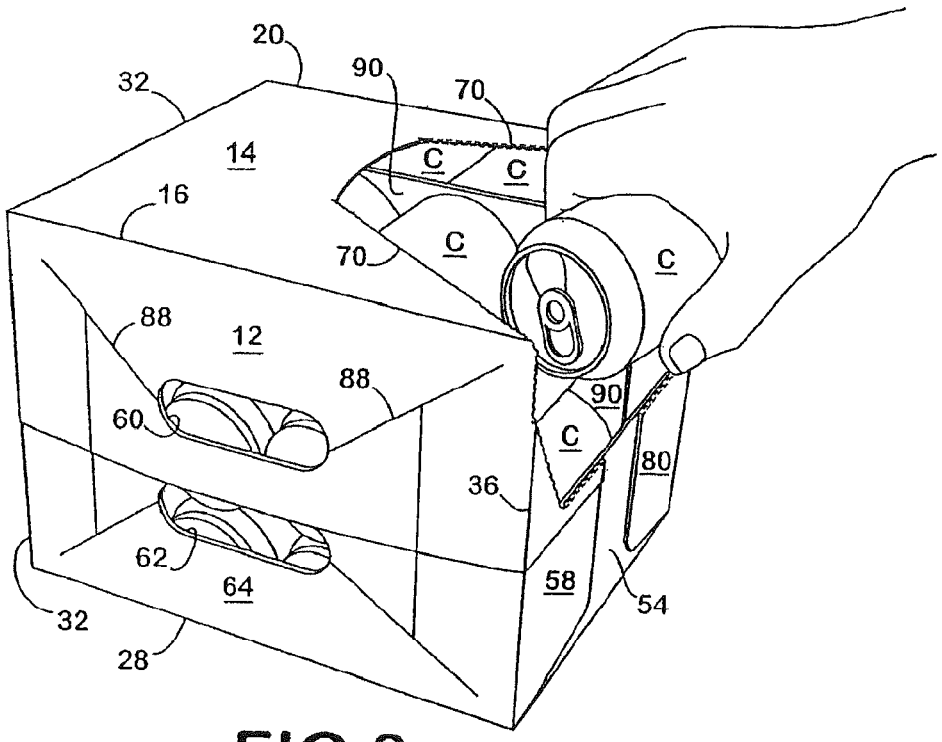

20
32
90
70
14
C
C
16
70
C
C
88
12
88
90
60
C
80
36
62
64
58
54
32
28

FIG 6

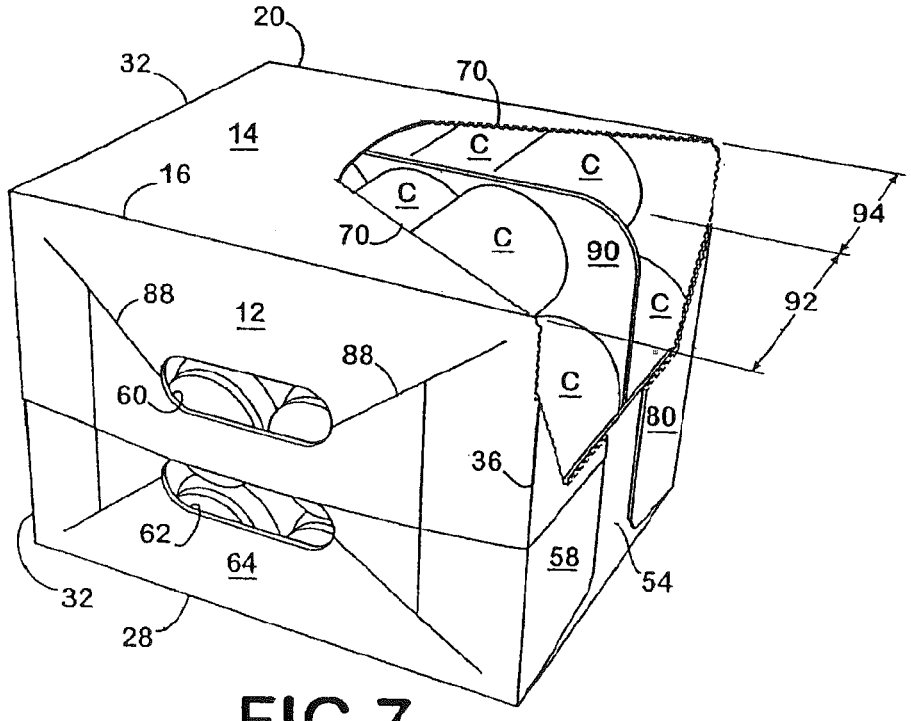

20
32
70
14
C
C
16
C
C
70
C
90
94
88
12
C
92
88
C
60
80
36
62
64
58
54
32
28

FIG 7

DISPENSING SYSTEM FOR DOUBLE STACK CARTON

CROSS-REFERENCE TO RELATED APPLICATION

This application is a continuation of co-pending U.S. patent application Ser. No. 13/854,209, filed Apr. 1, 2013, which is a continuation of U.S. patent application Ser. No. 13/455,259, filed Apr. 25, 2012, now U.S. Pat. No. 8,408,392, which is a continuation of U.S. patent application Ser. No. 13/052,489, filed Mar. 21, 2011, now U.S. Pat. No. 8,181,782, which is a continuation of U.S. patent application Ser. No. 12/752,586, filed Apr. 1, 2010, now U.S. Pat. No. 8,127,924, which is a continuation of U.S. patent application Ser. No. 12/274,477, filed Nov. 20, 2008, now U.S. Pat. No. 7,780,003, which is a continuation of U.S. patent application Ser. No. 11/558,717, filed Nov. 10, 2006, now U.S. Pat. No. 7,467,713, which is a continuation of U.S. patent application Ser. No. 11/139,827, filed May 27, 2005, now U.S. Pat. No. 7,134,551, which is a continuation of U.S. patent application Ser. No. 10/365,148, filed Feb. 12, 2003, now U.S. Pat. No. 6,918,487.

INCORPORATION BY REFERENCE

The disclosures of U.S. patent application Ser. No. 13/854,209, filed Apr. 1, 2013, U.S. patent application Ser. No. 13/455,259, filed Apr. 25, 2012, U.S. patent application Ser. No. 13/052,489, filed Mar. 21, 2011, U.S. patent application Ser. No. 12/752,586, filed Apr. 1, 2010, U.S. patent application Ser. No. 12/274,477, filed Nov. 20, 2008, U.S. patent application Ser. No. 11/558,717, filed Nov. 10, 2006, U.S. patent application Ser. No. 11/139,827, filed May 27, 2005, U.S. patent application Ser. No. 10/365,148, filed Feb. 12, 2003, are hereby incorporated by reference as if presented herein in their entirety.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates generally to an enclosed paperboard carton capable of enclosing containers in two tiers, which carton has a unique opening and dispensing feature that allows the containers, for example, cans, to be removed or dispensed one container per tier at a time without destroying the overall structural integrity of the carton. The unique opening and dispensing feature can be incorporated in cartons containing a plurality of layers of containers stacked on end and still limit the dispensing to one container per tier at a time.

2. Background

Fully enclosed cartons capable of enclosing cans have been used in the past that have a feature for dispensing the cans one at a time. Dispensers have been provided at various locations on these cartons depending on the design.

Cartons have been introduced into the marketplace that can carry 24 or more containers, for example cans, in two stacks or tiers. So far no satisfactory dispenser has been developed for dispensing the layers of cans in these two stack cartons one at a time from each stack or tier. Consequently, when these cartons are opened they tend to let a number of the cans roll out which has not allowed these twin stack cartons to achieve their full potential.

3. Prior Art

U.S. Pat. No. 3,265,283 to Farquhar discloses a fully enclosed carton having a dispenser for dispensing the enclosed cans. The end wall of the carton has a dispensing flap which can be folded down upon opening. An aperture formed by the flap extends into the side walls to permit grasping of the can to withdraw it from the carton. When the flap is opened, the cans are held in the carton by an arcuate flap portion extending downwardly in the end wall into the center of the aperture. The structural integrity of this carton is compromised because the entire bottom end of the carton is opened. It will be realized that the design of this dispenser is not satisfactory for dispensing containers, for example cans, that are stacked in twin stacks in a carton.

U.S. Pat. No. 4,364,509 to Holly, Jr. et al. also discloses a fully enclosed carton with a dispenser in one of the end walls. This dispenser is likewise formed in the end wall by tearing out an end flap and lowering it into proper position. Expansion slits are provided in the side wall for the user's fingers to grasp the ends of the existing can. The dispenser of this carton is not satisfactory for use in a twin stack carton for carrying containers.

SUMMARY OF THE INVENTION

It is an object of this invention to develop a dispenser for dispensing containers, for example cans, one at a time from a carton containing containers in two stacks or tiers. It is the further object of this invention to develop a dispenser that can be easily opened. A further object of this invention is to develop a dispenser that can be used for containers stacked in a 3 by 4 configuration in each stack to be dispensed one at a time from each stack without the containers rolling out accidentally. A final object of this invention is to develop a dispenser for a twin stack carton that does not destroy the structural integrity of the carton when it is opened.

Briefly described, in its preferred form, the objects of this invention are achieved by providing an enclosed carton for carrying containers in two tiers for dispensing the containers one at a time from each tier from the exiting end of the carton. The carton is generally rectangular and has a bottom, top, two sides, a closed end and exiting end. The carton is foldably constructed from a blank having panels and flaps. The carton is designed to carry containers, e.g. cans, that are stacked on their ends in two tiers from the bottom panel to the top panel. The dispenser is constructed by providing tear lines in one of the side panels that extend into the exiting end of the carton which is rested on the other side panel, with the dispenser being capable of dispensing the containers as they are resting on their sides. A tear line is provided in the end of the carton placed from the side upon which the carton rests while dispensing containers at a sufficient distance to prevent any of the containers below the top layer of containers from rolling out of the carton when the dispenser is open. A pair of tear lines extend from this bottom tear line from each end at an angle from the bottom tear line to the top side panel in which part of the dispenser is formed. The angle and distance of the projection is such as to restrain the top layer of cans in each tier from accidentally rolling out. The dispenser is constructed with a large enough opening in. the top side panel in which it is formed to permit a person to grasp and remove a container in each tier one at a time.

This carton can be designed with a dispenser dispensing containers in a 3 by 4 configuration in each tier. The bottom tear line is located so as to prevent the bottom layers of containers from rolling out of the carton. A pair of tear lines extending from the ends of the bottom tear line is placed at an angle designed to restrain containers in the top layer from rolling out of the carton.

Because a carton for carrying 24 containers is placed under a great deal of stress, the top panel can be constructed from two handle flaps having a reinforcing strip attached to the inside handle flap folded over against the inside of the carton between the two oval handle apertures carrying the carton.

To facilitate holding the containers and dispensing them one at a time a divider may be provided between each tier of containers.

To facilitate opening the carton dispenser, a pull tab can be provided in the side panel where part of the dispenser is located, with the pull tab being loosely attached to the panel, but tightly attached to the dispenser for opening the dispenser.

Preferably the exiting end of the carton has four flaps for closing this end. An end flap attached to the side of the carton on which it is resting while the containers are being dispensed is generally not removed and serves to restrain one or more of the bottom layers of containers from rolling out of the carton. Preferably the tear lines in the end flaps attached to the top panel, and bottom panel are constructed so that a portion of each of these flaps is not removed and are glued to the flap attached to the side panel on which the carton rests during dispensing to preserve the integrity of the carton.

Other objects, features and advantages of this invention will become apparent upon reading the following specification, when taken in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** is a plan view of the blank of the preferred embodiment of this invention from which a carton is formed.

FIG. **2** is a perspective top view of the carton of the preferred embodiment loaded with two tiers of cans in a 3 by 4 configuration in each tier with a person starting to open the dispenser.

FIG. **3** is a perspective top view of the carton with a dispenser pulled part way open.

FIG. **4** is a perspective end view of the carton with cans in each tier in a 3 by 4 configuration with the dispenser being opened except for the bottom tear line.

FIG. **5** is perspective end view of the carton loaded with two tiers of cans in a 3 by 4 configuration with the dispenser completely removed but all the cans being contained in the carton.

FIG. **6** is a perspective end of the carton of FIG. **5** showing a person removing a can from the top tier of cans.

FIG. **7** is a perspective end view of the carton of FIG. **6** showing that a can has been removed from the top tier and from the bottom tier of cans.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

The present invention is intended primarily for use with cans of the types used to contain soft drinks, beer and the like. The blank **10** is formed from a foldable sheet of material, such a paperboard. The blank **10** has an outside handle flap **12** which is attached to the top side panel **14** by fold line **16** which in turn is attached to bottom panel **18** by fold line **20**, which in turn is attached to bottom side panel **22** by fold line **24**. Bottom side panel **22** is foldably attached to inside handle flap **26** by fold line **28**. The carton is supplied with a number of end flaps for closing the ends of the carton. The outside handle flap **12** is attached to outside top end flap **30** by fold line **32** and outside handle flap **12** is attached to outside top end flap **34** by fold line **36**. Top side flap **38** is attached to top side panel **14** by fold line **32**. Top side panel **14** is attached to top side flap **42** by fold line **36**. Bottom panel **18** is attached to bottom end flap **46** by fold line **32** and to bottom end flap **50** by fold line **36**. Bottom side panel **22** is attached to bottom side flap **52** by fold line **32** and to bottom side flap **54** by fold line **36**. Inside handle flap **26** is attached to inside top end flap **56** by fold line **32** and to the inside top end flap **58** by fold line **36**.

This carton has a pair of race track handles **60** and **62** formed in outside handle flap **12** and inside handle flap **26** respectively. Because this carton is designed to carry 24 containers, such as cans, it is provided with a handle reinforcing flap **64** attached to inside handle flap **26** by fold line **66**.

A dispensing flap **68** is partially formed in top side panel **14** by tear line **70**. To facilitate opening this dispenser, a pull tab **72** is provided to facilitate opening the dispensing flap **68**. The pull tab **72** is loosely attached to top side panel **14**. Pull tab **72** has a slit **74** between it and top side panel **14** to ease pulling of the pull tab from the plane of top side panel **14**. Pull tab **72** is attached to dispensing flap **68** by fold line **76**. A slit **78** may be provided in the middle of pull tab **72** to ease its removal from top side panel **14**.

It will be understood by those skilled in the art that the carton of the present invention is generally symmetrical about a horizontal line of bisection, as viewed when FIG. **1** is rotated lengthwise. This symmetry aids in the efficient production of the present carton.

In forming this blank **10** into a carton, the handle reinforcing flap **64** is folded along fold line **66** and glued to the inside handle flap **26**. The blank **10** is then folded so that outside handle flap **12** is glued to inside handle flap **26** so that the two oval handles **60** and **62** are parallel to each other. These steps result in forming a carton sleeve in which cans can be loaded in the bottling plant. The cans can be placed in two tiers of a 3 by 4 configuration. This is best illustrated in FIG. **7** which shows the top tier **92** located near the top of the carton and the bottom tier **94** located near the bottom of the carton. In order to maintain the two tiers of cans in proper alignment during loading and when dispensed to the consumer, a divider **90** may be necessary. The divider **90** can be made out of a single sheet of paperboard.

After the two tiers of cans have been loaded into the carton various end flaps on both ends are closed and glued. To use the end of the carton where the dispenser is located as an example, the top side flap **42** is folded inwardly, bottom side flap **54** is folded inwardly, bottom end flap **50** is folded in an overlapping position, and glued to top side flap **42** and bottom side flap **54**. Outside top end flap **34** and inside top end flap **58** are glued together to form a single top end flap which is likewise glued to top side flap **42** and bottom side flap **54**. The other end of the carton is closed in the same manner.

When the dispenser is opened, dispensing flap **68**, which includes top side flap **42**, is removed from the carton along with a portion of outside end flap **34** and bottom end flap **50** along tear line **70**. In order to preserve the structural integrity of the carton after the dispenser has been opened, it is important that end retention panel **82** be glued to inside top end flap **58** which in turn is glued to bottom side flap **54**. Otherwise, the end retention projection **86** will not be firmly attached to carton. It is likewise important that end retention panel **80** be glued to bottom side flap **54** in order to ensure that end retention projection **84** is firmly attached to the carton after the dispenser is opened.

It should be realized that dispensers could be placed on both ends of the carton, but preferably it is only placed on one end. Cans can be removed from the exiting end of the carton after tear line **70** has been torn. The pair of tear lines **70** converge towards each other towards pull tab **72**. Tear line **70** extends along fold line **36** between bottom end flap **50** and bottom, or second, panel **18** for a distance D and turns at an angle B and turns again at angle A to form a portion of bottom tear line **96**. On the other side of top side, or first, panel **14**, tear line **70** extends to fold line **36** and extends along that line and turns into the interior of outside top end flap **34** at angle B until it turns to form bottom line **96** at angle A.

The consumer can open dispensing flap **68** by inserting his or her fingers into pull tab **72** which is an easy maneuver because of slit **74**. In place of slit **74**, a tear line that is loosely attached to top side panel **14** may be substituted in lieu of the slit. Insertion of the fingers into the aperture formed by depressing pull tab **72** is illustrated in FIG. **2**. It will be noticed that the carton has been turned 90° so that it rests on bottom side, or fourth, panel **22**. Outside handle flap **12** and inside handle flap **26** form the top, or third, panel. As shown in FIGS. **2-3**, the first panel **14**, second panel **18**, and the exiting end meet at a first corner FC, and the first panel **14**, third panel **12**, **26**, and the exiting end meet at a second corner SC. As shown in FIGS. **2-7**, one of the pair of tear lines **70** that converge towards each other extends from the first corner FC into first panel **14** and the other of the pair of tear lines **70** that converge towards each other extends from the second corner SC into first panel **14**. The consumer proceeds to pull pull tab **72** upward which is connected by fold line **76** to dispensing flap **68** which is pulled up as illustrated in FIG. **3**. Continued tearing open of the dispenser is illustrated in FIG. **4**. The dispenser is opened along tear line **70** which extends on both sides so that the dispensing flap **68** is torn open along fold line **36** and into the interior of outside top end flap **34** and bottom end flap **50** as illustrated in FIG. **4**. The tearing continues down to the point where tear line **70** forms bottom tear line **96** which has not yet been torn as shown in FIG. **4**. FIG. **5** illustrates a complete removal of the dispenser by tearing along bottom tear line **96**. Even though the entire dispenser has been removed in FIG. **5**, the cans are retained in the carton even though the cans are lying on their sides. The bottom two layers of cans in the 3 by 4 configuration are prevented from rolling out of the carton by bottom side flap **54** to which end retention panels **80** and **82** are glued. It will be noticed that bottom side flap **54** only extends part way up the diameter of the cans in the second layer of the three tiers. The top layer of cans in the two tiers is prevented from rolling out by end retention projections **84** and **86**. Tear line **70** only extends along fold line **36** a distance D which is slightly less than the diameter of the top layer of cans being contained. This is sufficient to prevent the top layer of cans from rolling out of the carton but yet not prevent an obstacle to their easy removal by the consumer. Tear line **70** turns at an angle B and then turns again at angle A to form the bottom tear line **96** on both outside top end flap **34** and bottom end flap **50**. It will be realized that end retention projections **84** and **86** are helpful in retaining the top layer of cans in the carton. The extent of this help depends upon the location of the bottom tear line **96** in relation to the layers of cans C.

FIG. **6** illustrates a consumer removing a can from the top tier **92** of cans C. It will be noticed that the consumer moves a can by twisting it slightly along its longitudinal axis and removing the bottom end of the can C first as it easily slides along the divider **90**. It is necessary to remove the can in this way as the top of the can is retained in position by end retention projection **86**. The end retention projections **84** and **86** are important as it is desirable that the cans in the top layer not roll out when the dispenser is open. The divider **90** and end retention projections **84** and **86** are designed to ensure that the top layer of cans adjacent the dispenser not roll out accidentally. FIG. **7** illustrates a carton with cans from each tier having been removed with the remaining cans held in place.

Because the blank **10** is designed to carry 24 cans in two tiers, it will be appreciated that the carton is heavy when loaded with cans. It is preferred that the top panel be composed of an outside handle flap **12** and an inside handle flap **26** and handle reinforcing flap **64** be utilized. In addition, stress lines **88** that are designed to dissipate the stress posed by lifting the carton handle **60** and **62** can be utilized. It should be realized that the carton sleeves can be glued together at other locations but is preferred to be glued at the top panel.

It will be noticed that the tear lines **70** in top side panel **14** converge towards each other and extend away from fold line **36** to provide a large enough opening when dispensing flap **68** is removed to permit a person to grasp cans in the top layer in each tier near the exiting end of the carton.

A carton for carrying cans is preferred that these containers have ends that are of the same diameter as the body of the container.

UNIQUE FEATURES OF THE DISPENSER OF THIS INVENTION

One of the unique features of the dispenser of this invention is that it permits the easy dispensing of containers that are stacked in two tiers. The carton is unique in that it carries the containers in their upright position, but dispenses them when the containers are on their side. Placement of the bottom tear line in the dispenser will restrain all but the top layer of containers from rolling out. An angled projection on each side of the dispenser can be utilized to prevent the top layer of containers from rolling out. The provision of a divider is important in maintaining the configuration of the containers into two tiers during loading and dispensing.

While the invention has been disclosed in its preferred forms, it will be apparent to those skilled in the art that many modifications, additions, and deletions can be made therein without departing from the spirit and scope of the invention and its equivalents as set forth in the following claims.

What is claimed is:

1. A method of dispensing containers, the method comprising:

obtaining a carton having a top panel, a first side panel, a bottom panel, a second side panel, a first end, and a second end; the first side panel being connected between the first end and the second end, the second side panel being, opposite and parallel the first side panel, the top panel being connected to the first side panel, the first end, the second end, and the second side panel, the bottom panel being opposite and parallel the top panel; the second side panel being connected between the first end and the second end; the bottom panel being connected to the first side panel, the first end, the closed end, and the second side panel; the carton enclosing cylindrical containers, each of the containers having at least one container side and two container ends; the carton including at least a first tear line and a second tear line, each of the first tear line and the second tear line having a first portion extending in

the first side panel and a second portion extending in the first end; the first tear line and the second tear line at least partially defining a dispensing flap; at least a first segment of the first tear line extending at least partially along and collinear with a first fold line connecting the first end with the first side panel; the second portion of the first tear line and the second portion of the second tear line that extend in the first end at least partially separating the dispensing flap from a remainder portion;

resting the second side panel of the carton on a surface to dispose the first side panel at a top of the carton over the containers with the container sides of the containers being parallel to the first side panel; and

forming an opening by separating the dispensing flap along the first portions of the first tear line and the second tear line in the first side panel and along the second portion of the first tear line and the second portion of the second tear line in the first end;

wherein the separating of the dispensing flap in the first end at least partially separates the dispensing flap from the remainder portion; the opening permitting removal of the containers from the carton; the remainder portion preventing the containers from rolling out of the carton.

2. The method of claim **1**, wherein the dispensing flap can remain attached to the carton when the opening is formed.

3. The method of claim **1**, wherein the dispensing flap can be entirely removed from the carton.

4. The method of claim **1**, wherein at least a first segment of the second tear line extends at least partially along and collinear with a second fold line that connects the first end to the bottom panel.

5. The method of claim **1**, wherein the carton is made from paperboard.

6. The method of claim **1**, wherein structural integrity of the carton is maintained after the opening is formed.

7. The method of claim **1**, wherein a finger flap assists separating the dispensing flap.

8. The method of claim **1**, wherein the containers are cylindrical.

9. The method of claim **1**, wherein a third fold line connects the first portions of the first tear line and the second tear line that extend in the first side panel.

10. The method of claim **9**, wherein the first portion of the first tear line and the first portion of the second tear line that extend in the first side panel terminate at a first end point and a second end point, respectively; and the third fold line connects the first end point and the second end point.

11. A carton enclosing containers, each of the containers having at least one container side and two container ends, the carton comprising:

a first side panel connected between a first end and a second end, a second side panel opposite and parallel the first side panel, a top panel connected to the first side panel, the first end, the second end, and the second side panel, and a bottom panel opposite and parallel the top panel; the second side panel being connected between the first end and the second end; the bottom panel being connected to the first side panel, the first end, the second end, and the second side panel; and,

a first tear line and a second tear line each having a first portion extending in the first side panel and a second portion extending in the first end; the first tear line and the second tear line at least partially defining a dispensing flap; at least a first segment of the first tear line extending at least partially along and collinear with a first fold line connecting the first end with the top panel; the second portions of the first tear line and the second tear line in the first end at least partially separating the dispensing flap from a remainder portion;

wherein, with the second side panel of the carton disposed on a surface to position the first side panel at a top of the carton over the containers with the container sides of the containers being parallel to the first side panel, an opening is formed by separating the dispensing flap along the first portion of the first tear line and the first portion of the second tear line in the first side panel and along the second portion of the first tear line and the second portion of the second tear line in the first end;

wherein the separating of the dispensing flap along the second portion of the first tear line and the second portion of the second tear line in the first end at least partially separates the dispensing flap from the remainder portion;

wherein the opening permits removal of the containers from the carton;

wherein the remainder portion prevents the containers from exiting the carton.

12. The carton of claim **11**, wherein the dispensing flap can remain attached to the carton when the opening is formed.

13. The carton of claim **11**, wherein the dispensing flap can be entirely removed from the carton.

14. The carton of claim **11**, wherein at least a first segment of the second tear line extends at least partially along and collinear with a second fold line that connects the first end to the bottom panel.

15. The carton of claim **11**, wherein the carton is made from paperboard.

16. The carton of claim **11**, wherein structural integrity of the carton is maintained after the opening is formed.

17. The carton of claim **11**, wherein a finger flap assists separating the dispensing flap.

18. The carton of claim **11**, wherein the containers are cylindrical.

19. The carton of claim **11**, wherein a third fold line connects the portions of the first and second tear lines that extend in the first side panel.

20. The carton of claim **19**, wherein the first portion of the first tear line and the second portion of the second tear line that extend in the first side panel terminate at a first end point and a second end point, respectively; and the third fold line connects the first end point and the second end point.

21. A package including a carton and a plurality of containers, each of the plurality of containers having at least one container side and two container ends, the carton comprising:

a first side panel connected between a first end and a second end, a second side panel opposite and parallel the first side panel, a top panel connected to the first side panel, the first end, the second end, and the second side panel, and a sixth side opposite and parallel the top panel; the second side panel being connected between the first end and the second end; the sixth side being connected to the first side panel, the first end, the second end, and the second side panel; and,

a first tear line and a second tear line each having a first portion extending in the first side panel and a second portion extending in the first end; the first tear line and the second tear line at least partially defining a dispensing flap; at least a first segment of the first tear line extending at least partially along and collinear with a first fold line connecting the first end with the top panel; the second portion of the first tear line and the second

portion of the second tear line in the first end at least partially separating the dispensing flap from a remainder portion;

wherein, with the second side panel of the carton disposed on a surface to position the first side panel at a top of the carton over the containers with the container sides of the containers being parallel to the first side panel, an opening is formed by separating the dispensing flap along the first portion of the first tear line and the first portion of the second tear line in the first side panel and along the second portion of the first tear line and the second portion of the second tear line in the first end;

wherein the separating of the dispensing flap in the first end at least partially separates the dispensing flap from the remainder portion;

wherein the opening permits removal of the containers from the carton;

wherein the remainder portion prevents the containers from exiting the carton.

22. The package of claim **21**, wherein the dispensing flap can remain attached to the carton when the opening is formed.

23. The package of claim **21**, wherein the dispensing flap can be entirely removed from the carton.

24. The package of claim **21**, wherein at least a first segment of the second tear line extends at least partially along and collinear with a second fold line that connects the first end to the bottom panel.

25. The package of claim **21**, wherein the carton is made from paperboard.

26. The package of claim **21**, wherein structural integrity of the carton is maintained after the opening is formed.

27. The package of claim **21**, wherein a finger flap assists separating the dispensing flap.

28. The package of claim **21**, wherein the containers are cylindrical.

29. The package of claim **21**, wherein a third fold line connects the first portion of the first tear line and the first portion of the second tear line that extend in the first side panel.

30. The package of claim **29**, wherein the first portion of the first tear line and the first portion of the second tear line that extend in the first side panel terminate at a first end point and a second end point, respectively; and the third fold line connects the first end point and the second end point.

* * * * *